



DOCKET NO. 1932.1064-033

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER PRIOR PATENTS**

In re Application of: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen and  
Pradeep K. Dhal

Application No. 10/025,184

Filed: December 19, 2001

Confirmation No.: 8481

For: A PHARMACEUTICAL COMPOSITION FOR TREATING  
HYPERCHOLESTEROLEMIA

The owner, Genzyme Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent Nos. 6,083,497, 6,264,938 and 6,248,318. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patents, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned is empowered to act on behalf of the owner.

March 13, 2007  
Date

  
Signature

Bart G. Newland  
Typed or printed name  
Vice President Intellectual Property  
~~Genzyme Corporation~~  
Name of Corporation

03/22/2007 CNEGA1 00000023 10025184

02 FC:1814

130.00 OP



## STATEMENT UNDER 37 CFR § 3.73(b)

Applicant/Patentee: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Petersen and Pradeep K. Dhal  
Application No./Patent No.: 10/025,184 Filed/Issue Date: December 19, 2001  
For: A PHARMACEUTICAL COMPOSITION FOR TREATING HYPERCHOLESTEROLEMIA

Genzyme Corporation, a Corporation  
(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☒ the assignee of the entire right, title and interest in the patent application identified above; or  
B. ☐ an assignee together with [ ] of the entire right, title and interest in the patent application identified above.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel [ ], Frame [ ], or a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: Chad Cori Huval, Stephen Randall Holmes-Farley, John S. Peterson and Pradeep K. Dhal  
To: GelTex Pharmaceuticals, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 010126, Frame 0578-0582, or a copy thereof is attached.
2. From: GelTex Pharmaceuticals, Inc. To: Genzyme Corporation  
The document was recorded in the United States Patent and Trademark Office at  
Reel 014022, Frame 0197-0207, or a copy thereof is attached.
3. From: [ ] To: [ ]  
The document was recorded in the United States Patent and Trademark Office at  
Reel [ ], Frame [ ], or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Signature

Name: Bart G. Newland

Title: Vice President Intellectual Property

Date: March 13, 2007